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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,588	12/04/2003	Atsushi Fuchimukai	P24357	5054

7055 7590 03/28/2007  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 ROLAND CLARKE PLACE  
RESTON, VA 20191

EXAMINER
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GONZALEZ, ANGEL F.

ART UNIT	PAPER NUMBER
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2609

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/28/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/28/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

## Office Action Summary

**Application No.**

10/726,588

**Applicant(s)**

FUCHIMUKAI, ATSUSHI

**Examiner**

Angel F. Gonzalez

**Art Unit**

2609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 12/04/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 03/04/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Information Disclosure Statement***

2. The references listed on the Information Disclosure Statement (IDS) submitted on January 21, 2003 have been considered by the examiner (see attached PTO-1449).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshida (U.S. Patent Number 6,445,417).

As to claim 1, Yoshida (Fig. 1) discloses a digital camera (1) comprising;  
an electronic flash device (51) that radiates light toward an object to be photographed (see col. 5, lines 19-21);

Art Unit: 2609

a white-balance sensor (55) for performing a white-balance adjustment (see col. 5, lines 23-25), said white-balance sensor (55) and said electronic flash device (51) being connected to each other;

and a rotating mechanism (2) that rotates said white-balance sensor (55) and said electronic flash device (51) to selectively make one of said electronic flash device (51) and said white-balance sensor (55) face said object.

As to claim 2, Yoshida discloses a digital camera (1) according to claim 1, wherein said electronic flash device (51) and said white-balance sensor (55) form a rotatable body.

As to claim 6, Yoshida discloses a digital camera (1) according to claim 1, wherein said white balance sensor (55) is set to face said object when said digital camera (1) is actuated.

As to claim 7, Yoshida discloses a digital camera (1) according to claim 1, further comprising a light-emitting lens (4) that is arranged in front of said white-balance sensor (55) and said electronic flash device (51) (see col. 5, lines 37-38).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

Art Unit: 2609

skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida in view of Takebayashi (U.S. Patent No. 5,055,866).

As to claim 3, note the discussion of Yoshida above, Yoshida teaches a photographing optical system (1). Yoshida does not teach the zooming system and moving mechanism. Takebayashi teaches a zooming system (20) that adjusts the focal length (see col. 4, lines 12-24) and a moving mechanism (34) that moves said white balance sensor and said electronic flash device in the direction parallel to the optical axis (see col. 2, lines 46-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the zooming system and moving mechanism as taught by Takebayashi to the digital camera of Yoshida, because the movement of the strobe light emitter between the retracted position and the projected position and the zooming operation of the illuminating angle of the strobe light emitter can be effected by a single drive source, thereby providing a highly powered small retractable strobe device (see col. 4, lines 45-53).

As to claim 4, Takebayashi teaches a digital camera according to claim 3, wherein the shorter said focal length, the closer said white-balance sensor and said electronic flash-device are to said object (see col. 2, lines 32-42).

Art Unit: 2609

7. Claim 5, is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida in view of Takebayashi as applied to claim 3-4 above, and further in view of Westerweck (U.S. Patent No.6, 879,446).

As to claim 5, Yoshida and Takebayashi do not teach the lens barrel. Westerweck teaches the rotating zoom lens barrel (20) (see col. 2, lines 18-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the lens barrel as taught by Westerweck to the digital camera of Yoshida as modified by Takebayashi, because zoom lens of Westerweck would provide increasing accuracy when capturing photos from various distances.

### ***Conclusion***

1. The prior art made of record and relied upon is considered pertinent to applicant's disclosure.

Iwasaki et al. (U.S. Patent 5,740,481) is cited to teach an exposure calculating device

Ejima et al. (U.S. Patent 6,259,469) is cited to teach an electronic camera having a rotating part.

Ishimaru et al. (U.S. Patent 7,006,135) is cited to teach a camera capable of white balance correction.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel F. Gonzalez whose telephone number


Art Unit: 2609

is 571-272-1702. The examiner can normally be reached on Monday - Friday,  
07:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the  
examiner's supervisor, Chanh Nguyen can be reached on 571-272-7772. The  
fax phone number for the organization where this application or proceeding is  
assigned is 571-273-8300.

Information regarding the status of an application may be obtained from  
the Patent Application Information Retrieval (PAIR) system. Status information  
for published applications may be obtained from either Private PAIR or Public  
PAIR. Status information for unpublished applications is available through  
Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR  
system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-  
free). If you would like assistance from a USPTO Customer Service  
Representative or access to the automated information system, call 800-786-  
9199 (IN USA OR CANADA) or 571-272-1000.

Angel F. Gonzalez  
3/07/07

  
CHANH D. NGUYEN  
SUPERVISORY PATENT EXAMINER